

UNITED STATES OF AMERICA  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

10 UNITED STATES OF AMERICA, ) Case No. CR 11-00291 SBA  
11 Plaintiff, ) PRELIMINARY ORDER OF  
12 v. ) FORFEITURE  
13 JAMES CALMA ESVER, )  
14 Defendant. )

Having considered the Application for a Preliminary Order of Forfeiture filed by the United States and the defendant's guilty plea on December 8, 2011, wherein the defendant admitted to the forfeiture allegation, and good cause appearing,

19 IT IS HEREBY ORDERED that the following property is forfeited to the United States:

20 \$10,400 in United States Currency

21 IT IS FURTHER ORDERED that the United States, through its appropriate agency, shall  
22 seize the forfeited property forthwith and publish on [www.forfeiture.gov](http://www.forfeiture.gov), a government website for at  
23 least thirty days, notice of this Order, notice of the government's intent to dispose of the property in  
24 such manner as the Attorney General may direct and provide notice that any person, other than the  
25 defendant, having or claiming a legal interest in the property must file a petition with the Court and  
26 serve a copy on government counsel within thirty (30) days of the final publication of notice or of  
27 receipt of actual notice, whichever is earlier.

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1 IT IS FURTHER ORDERED that the government shall conduct discovery in order to identify,  
2 locate or dispose of property subject to forfeiture in accordance with Rule 32.2(b)(3) of the Federal  
3 Rules of Criminal Procedure.

4 IT IS FURTHER ORDERED that the government shall return \$40 of the seized \$10,440 to  
5 the defendant, in care of his attorney, Scott Sugarman.

6 IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce the Preliminary  
7 Order of Forfeiture, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure  
8 32.2(e).

9 IT IS SO ORDERED this 22nd day of August 2012.

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12 SAUNDRA BROWN ARMSTRONG  
United States District Judge  
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